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Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

SENATE CONCURRENT RESOLUTION 1047

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IX, CONSTITUTION OF ARIZONA, BY ADDING SECTION 23; RELATING TO PUBLIC TAXATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Article IX, Constitution of Arizona, is proposed to be amended by
4 adding section 23 as follows if approved by the voters and on proclamation of
5 the Governor:

6 23. Vote required to enable local government revenue
7 increases

8 SECTION 23. A. A LEGISLATIVE ACT THAT AUTHORIZES A
9 COUNTY, CITY, TOWN, SCHOOL DISTRICT OR SPECIAL TAXING DISTRICT
10 OR AUTHORITY TO LEVY A TAX OR INCREASE TAX REVENUES IS EFFECTIVE
11 ON THE AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERS OF
12 EACH HOUSE OF THE LEGISLATURE. IF THE LEGISLATIVE ACT RECEIVES
13 SUCH AN AFFIRMATIVE VOTE, IT BECOMES EFFECTIVE IMMEDIATELY ON
14 THE SIGNATURE OF THE GOVERNOR AS PROVIDED BY ARTICLE IV, PART 1,
15 SECTION 1. IF THE GOVERNOR VETOES THE MEASURE, IT SHALL NOT
16 BECOME EFFECTIVE UNLESS IT IS APPROVED BY AN AFFIRMATIVE VOTE OF
17 AT LEAST THREE-FOURTHS OF THE MEMBERS OF EACH HOUSE OF THE
18 LEGISLATURE.

19 B. THE REQUIREMENTS OF THIS SECTION APPLY TO ANY
20 LEGISLATIVE ACT THAT:

21 1. AUTHORIZES OR REQUIRES A COUNTY, CITY, TOWN, SCHOOL
22 DISTRICT OR SPECIAL TAXING DISTRICT OR AUTHORITY TO:

23 (a) IMPOSE ANY NEW TAX.

24 (b) INCREASE AN EXISTING TAX RATE OR RATES.

25 (c) REDUCE OR ELIMINATE AN EXISTING TAX DEDUCTION,
26 EXEMPTION, EXCLUSION, CREDIT OR OTHER TAX EXEMPTION FEATURE IN
27 COMPUTING TAX LIABILITY.

28 2. AUTHORIZES OR REQUIRES THE ESTABLISHMENT OF A SPECIAL
29 TAXING DISTRICT OR AUTHORITY HAVING THE POWER TO LEVY A TAX OR
30 COLLECT TAX REVENUES.

31 3. PRODUCES ANY COMBINATION OF THE ELEMENTS DESCRIBED IN
32 PARAGRAPHS 1 AND 2.

33 C. THE REQUIREMENTS OF THIS SECTION APPLY REGARDLESS OF
34 WHETHER THE LEGISLATIVE ACT REQUIRES AN ELECTION BY THE
35 QUALIFIED ELECTORS TO AUTHORIZE THE ELEMENTS DESCRIBED IN
36 SUBSECTION B OF THIS SECTION.

37 D. EACH LEGISLATIVE ACT TO WHICH THIS SECTION APPLIES
38 SHALL INCLUDE A SEPARATE PROVISION DESCRIBING THE REQUIREMENTS
39 FOR ENACTMENT PRESCRIBED BY THIS SECTION.

1 3. The Secretary of State shall submit this proposition to the voters
2 at the next general election as provided by article XXI, Constitution of
3 Arizona.

4 4. If another proposition is submitted to the voters at the next
5 general election to add another article IX, section 23, Constitution of
6 Arizona, and both this proposition and the other proposition are approved by
7 the voters, the Legislative Council may renumber the measure approved by this
8 proposition.